

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

United States of America,

v.

Kenneth Chio Heng Iong, [01]

Dorothy Chiu Lai Yung, [02]

defendants.

Cr. No. 05-117-HG

26 U.S.C. §7201, 18 U.S.C.
§§1014, 2 and 1028(a)(4)

DECLARATION OF MOVANT

Stuart N. Fujioka, an attorney duly licensed before this honorable court, hereby declares that the following is true and based on personal knowledge.

1. I was court-appointed counsel to defendant 01, Kenneth Iong.
2. On 6/21/06, my predecessor, David Klein filed a motion for litigation expenses which was approved by the court and filed [see docket excerpt, exhibit A].
3. I was subsequently appointed to replace attorney Klein and as defense counsel, I engaged the services of the forensic accountant as approved in said order.
4. Said accountant is seeking compensation for services rendered.
5. Neither Mr. Klein nor myself can locate a signed, file-stamped copy of the motion and order which is in the court record under seal.
6. The interests of justice, including adequate representation

by counsel, require unsealing of the record for the limited purpose of obtaining a copy of the 6/21/06 filing in order to facilitate processing of the vendor's claim.

Dated: Honolulu, Hawaii, March 1, 2007.

A handwritten signature in black ink, appearing to read "Stuart N. Fujioka", written over a horizontal line.

Stuart N. Fujioka